



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C18  
Serial No.: 09/905,348 Group Art Unit: 1647  
Filing Date: July 13, 2001 Examiner: Saoud, Christine J.  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**

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Date Mailed: December 6, 2004

**PRELIMINARY AMENDMENT**

MS: RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

This Preliminary amendment accompanies a Request for Continued Examination (RCE) under 37 CFR § 1.114 for the above identified application. A Notice of Appeal was filed October 7, 2004 in this case and an Appeal brief is due by December 7, 2004. This RCE filing and Preliminary amendment are being timely filed so that the Declaration by Paul Polakis, Ph.D., and articles by (i) Orntoft *et al.*, (ii) Hyman *et al.*, (iii) Pollack *et al.*, and (iv) Hanna and Mornin, **filed previously with the response to final Office action dated August 9, 2004** be considered. Entry and consideration of this amendment and the above declarations/ articles are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.